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SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Robert D. Wick

Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 5487  
rwick@cov.com

### Via ECF

February 28, 2022

The Honorable Katherine Polk Failla  
United States District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Iowa Public Employees' Retirement System v. Bank of America Corp.*,  
No. 17-cv-6221-KPF (S.D.N.Y.)**

Dear Judge Failla:

Pursuant to Paragraph 9(B) of Your Honor's individual rules, JPMorgan respectfully requests permission to file under seal and in redacted form certain exhibits to its opposition to Plaintiffs' letter-motion for leave to serve certain "spoliation-related" interrogatories (ECF No. 527).

JPMorgan proposes to file under seal the parties' Phone Agreement, which was negotiated among all parties in this action and designated "highly confidential" pursuant to the parties' stipulated protective order (ECF No. 150), and therefore must be filed under seal in accordance with Section 9 of that order. JPMorgan also proposes to redact the names of certain custodians and deponents in this action in one of its exhibits. The Second Circuit has recognized the appropriateness of sealing confidential information. *See, e.g., DiRussa v. Dean Witter Reynolds, Inc.*, 121 F.3d 818, 826 (2d Cir. 1997) (upholding trial court's decision to "safeguard . . . confidential material" by placing documents under seal). Pursuant to Your Honor's individual rules and this Court's Electronic Case Filing Rules & Instructions, we are contemporaneously filing sealed versions of these three exhibits, with JPMorgan's proposed redactions highlighted.

Respectfully submitted,

/s/

Robert D. Wick

*Counsel for the JPMorgan Defendants*

Application GRANTED. Defendants shall be permitted to file a redacted version of the above-specified submission on the public docket. They may file an unredacted version of this submission under seal, viewable only to the parties and the Court.

The Clerk of Court is directed to terminate the pending motion at docket entry 530.

Dated: March 1, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE